REMARKS

The application includes claims 1-24 prior to entering this amendment.

The examiner objects to claim 13 for informalities.

The examiner objects to the drawings under 37 CFR 1.83(a).

The examiner objects to the amendment under 35 U.S.C. 132(a) because it introduces new matter not supported by the original disclosure.

The examiner rejects claims 6 and 8 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The examiner rejects claims 16 and 24 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The examiner rejects claims 1-3, 5, 7, 9-15 and 17-23 under 35 U.S.C. § 102(e) as being anticipated by Lee (U.S. Patent 6,374,177)

The examiner rejects claim 4 under 35 U.S.C. § 103(a) over Lee in view of Ohnishi (U.S. Patent 5,682,431).

The examiner rejects claims 6, 8, 16 and 24 under 35 U.S.C. § 103(a) over Lee in view of Ishii (U.S. Patent Application Publication 2002/0132612).

Applicant amends claims 1, 4, 6-16, 19, and 23-24 and cancels claims 2-3, 5, and 20-21.

The application remains with claims 1, 4, 6-19, and 22-24 after entering this amendment.

Applicant adds no new matter and request reconsideration.

Claim Objections

The examiner objects to claim 13 for informalities. Applicant amends claim 13 to replace "an FM" with "a FM" thereby obviating the examiner's objection.

Drawing Objections

Applicant amends claim 13 to obviate the examiner's drawing objection regarding the recited receiver.

Specification Objections and Claim Rejections Under § 112

The examiner objects to the specification because, according to him, the amendment filed 8/15/2007 introduced new matter. The examiner further rejects claims 6, 8, 16, and 24 as failing to comply with the written description requirement.

Applicant notes that original claim 6 recited a signal combiner to time-division multiplex the FM data signal and the FM encoded audio signal to generate the composite FM signal. Original claim 8 recited a signal combiner to time-division multiplex the digital FM encoded audio signal and the FM data signal to generate the composite FM signal. The specification, for its part, provides that "the digital data signal and the digital audio signal are applied to a processor 412, that, with the memory 414, forms a software based text to speech converter and stereo encoder 410."[1] Figure 5 is a flow chart useful for describing the text to speech conversion for the system shown in Figure 4. Thus, the amendment filed 8/15/2007 did not introduce new matter by virtue of the amendments made to claims 6 and 8 and the addition of new claims 16 and 24. To clarify the claims, however, Applicant has amended claims 6 and 8 to resolve the examiner's doubts relating to the noted elements. In particular, Applicant has amended claims 6 and 8 to clarify that the processor is multiplexing the encoded speech signal with the audio signal to generate the combined signal.

Claim Rejections Under §§ 102 and 103

Claim 1 recites *a processor configured ... to convert the text data into digitally encoded speech*. Claim 15 recites *a processor configured to convert the text data into digitally encoded speech*. Claim 23 recites *wherein the processor is configured to convert the text data into digitally encoded speech and to combine the digitally encoded speech and the audio signal into a combined digital audio signal.*

The examiner initially indicates that Lee discloses the recited processor with its multimedia device 20 and the recited converting when it discloses that its gateway network 30 converts "retrieved Internet content through content converts 192 for appropriate display or verbalization on the multimedia device 20."[2]But Lee's multimedia device 20displays and plays back the encoded speech received from the gateway 30 but the device 20 does not actually doo the encoding itself as it must if it is to disclose the recited elements. Lee's gateway 30 allows a

[1] Specification, page 9, paragraph [0036].

user to remotely configure the device 20 but the device 20 itself does not convert the text data into digitally encoded speech nor does it transmit such data as we explain in more detail below.[3]

Claim 1 further recites *a processor configured to … encode the audio signal and the digitally encoded speech according to a FM standard into a FM digital signal.* Claim 13 recites *a frequency modulation (FM) encoder configured to generate an FM encoded audio signal in response to the audio signal.* Claim 15 recites *a processor configured to… encode the digitally encoded speech and the audio signal into a FM digital audio signal.* Claim 19 discloses a *processor configured to... encode the audio signal and the associated text data into a combined audio signal.*

The examiner indicates that Lee discloses the recited processor (and encoder) with its multimedia device 20.[4]But the device 20 is a remotely programmable multimedia and navigation device that does not include the capability to encode any audio signal, much less encode the audio signal and the digitally encoded speech into an FM digital signal for subsequent transmission as required by the claims. Applicant acknowledges that Lee's device 20 includes several types of receivers, e.g., multi-band receiver 210 and 100, GPS receiver 110, narrow band receivers 72, IrDA receiver 120, and gateway receiver 130.[5] Lee's device 20 and its associated receivers allow navigational services, channel updating by location, traffic information, geographic advertising, and similar content.[6] These receivers, however, do not encode any audio signal much less encode the audio signal with the digitally encoded speech into an FM standard for subsequent transmission as an FM signal. Lee's receivers are more akin to the kinds of receivers that would receive the FM signal transmitted by the recited transmitter. The multimedia device 20 "consists of a computer 50 preferably having a microprocessor and memory 90, and storage devices 92 that contain and run an operating system and applications to control and communicate with four onboard receivers...."[7] To the extent that Lee discloses that is device 20 is capable of transmission, it is to "send information to the gateway network 30 such as requests for navigation data, advertisement responses, purchase requests, etc."[8] The device 20 simply has

[2] Office action dated 10/18/2007, paragraph 9, citing Lee, reference 20 in Figure 1 and column 10, lines 63-65.
[3] Lee, column 6, lines 58-60.
[4] Office action dated 10/18/2007, page 5, paragraph 9.
[5] Lee, figures 1 and 2.
[6] Lee, abstract.
[7] Lee, column 8, lines 26-30.
[8] Lee, column 8, lines 41-44.

no need to transmit a combined signal including audio and text data since the device itself can output sound through amplifier 150 and speakers 152.[9]

Conclusion

In view of the foregoing, Applicant respectfully submits that claims 1, 4, 6-19, and 22-24 are allowable and asks that this application be passed to allowance. If the examiner has any questions or believes that a telephone conference would expedite prosecution of this application, Applicant encourages the examiner to call the undersigned at (503) 224-2170.

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Respectfully submitted,

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[9] Lee, column 8, lines 47-48.